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The Province of Quebec and the Early American Revolution. A Study in English-American Colonial History. By VICTOR COFFIN, Ph.D., Assistant Professor of European History in the University of Wisconsin. Bulletin of the University of Wisconsin, Economics, Political Science and History Series, Vol. I, No. 3, Madison, Wis., 1896. — xvii, 288 pp.

The specific subject of this monograph is the Quebec Act of 1774, its origin and its immediate and ultimate results. This is a topic which till now has scarcely received adequate attention. Opinions concerning it which were based on hearsay, or adopted after insufficient investigation, have passed for history. It does not lie directly in the path of the historian of the American Revolution, and hence has been slurred over. The romantic period of Canadian history, to which Parkman and most of the Catholic historians exclusively devoted themselves, had passed before the Quebec Act became law. It was a statute, too, which had manifold bearings and which, to be understood, demands study from several points of view. Only within recent years have the materials for such an investigation been placed within the easy reach of American students, and that breadth of view attained which makes it possible to use such materials properly. Professor Coffin has studied the sources with great thoroughness, and has made strong and independent use of the material which they afford. As a specimen of historical reasoning, of the proper marshalling of evidence, this work merits high praise.

The argument of the author is briefly as follows : During the interval between the establishment of English government in Canada under the proclamation of October, 1763 and the passage of the Quebec Act, the governors took the French *noblesse* under their protection ; and, believing that the peasantry was largely under the influence of this class, they insisted that the granting of favors to it and the maintenance, so far as possible, of the system of French law intact, was the safe course of policy to be pursued. Of this they convinced the home government, at the same time prejudicing it against the English-speaking element of the population, which, though small, had protested against the performance of jury service by Catholics, and against the collection of the old French customs duties without distinct appropriation by an assembly, and which had, moreover, insisted upon the establishment of a legislature. The officials of the home government, though meaning to be just and humane, were not qualified to deal with the situation intelligently, and accordingly they acted upon

the representations of the governors as if they had been true. But in the belief of the author the *noblesse* really possessed little influence over the peasantry. The chief desires of the peasantry were to get free from the judicial control of the seigneurs, and also from the compulsory obligation to pay tithes to the priesthood. Could these favors have been secured, the peasants would have submitted to the English system of law without a murmur. Their natural political leaders, the officials and merchants, had mostly returned to France, while the clergy were quiescent. Hence the opportunity was favorable for introducing English law at once into the province, and subjecting the French to its influence. But this was not done. Instead, as one of the favors extended to the Catholics in the Quebec Act, the system of compulsory tithes was restored, while, owing to the retention of the French land law, the peasants were led to fear the return of the oppressive conditions of the feudal *régime*.

The English residents, deeply disappointed because the act contained no provision for an assembly, at once sought to arouse the discontent of the French. In this they were quite successful, and hence it was that when, in 1775, the revolting colonists from the south invaded Canada, they found there widespread opposition to the English government. The author sees in this fact little evidence of sympathy with the cause of the invaders, but rather a strong proof of dissatisfaction with the Quebec Act. Within a year, however, the outrages committed by the undisciplined invaders so far reconciled the inhabitants to English rule, that they could not be tempted to turn against it even after the alliance between France and the revolting colonies had been formed. Though the author finds no evidence that the English government, in the passage of the Quebec Act, was moved by sinister intent toward the other colonies, he sees how natural it was that the colonists should interpret the measure unfavorably. In his criticism of the act he goes still further, and holds that by perpetuating French institutions in Lower Canada, it has been a serious obstacle to the growth of political unity. It is his belief that the proper course for the government to have pursued at the outset was to set the province "firmly and definitely upon an English instead of a French path of development."

Not the least interesting part of the monograph is the passage in which Professor Coffin, adopting fully the view advanced by Lord Mansfield in *Campbell vs. Hall*, argues that all the legislative ordinances issued by the Canadian government from 1763 to 1774 were illegal. Lareau reaches practically the same conclusion, though by a

different path. Apparently, however, some of the ordinances to which Professor Coffin refers (p. 341) were administrative rather than legislative in character. If so, their issue was legal, and can be justified by reference to the commissions and instructions of governors in other royal provinces in America, where English law existed and assemblies had long been established.

HERBERT L. OSGOOD.

Select Cases from the Coroner's Rolls, A.D. 1215-1413, with a Brief Account of the History of the Office of Coroner. Edited for the Selden Society by CHARLES GROSS, PH.D., Assistant Professor of History at Harvard University. London, 1895. — xliv, 159 pp.

Dr. Gross has not edited the original *rotuli coronatorum*, but rather some contemporary or almost contemporary transcripts and abstracts therefrom. The originals, drawn up by the coroners for the use of the itinerant justices, seem to have been destroyed or lost, while the abstracts have been preserved. From these rolls and from the other material which he has so diligently exploited, Dr. Gross has — by exercising the same skill and accuracy that he displayed in connection with his work on the merchant gild — been able to describe the coroner of the thirteenth and fourteenth centuries. He has thrown a flood of light upon local legal institutions of the time of John, Henry III and Edward I; and has produced a work which cannot be characterized better than by saying that it maintains the high standard hitherto set by the publications of the Selden Society and hitherto attained in all the work that Dr. Gross has done.

The essay introducing the text of the rolls is an expansion of the article on the coroner printed by Dr. Gross in the *POLITICAL SCIENCE QUARTERLY* for 1892 (vol. vi, p. 656). It contains a number of important changes in detail, but none whatever in the conclusions regarding the importance of the coroner in English constitutional history as a link between the itinerant justices and the local administration — between the manorial and royal jurisdictions. There are a few omissions, but so much new material is added that the essay is nearly doubled in length. The printed extracts which follow date from 1215 to 1413, and relate to some seventeen of the English counties, chiefly in the center and north. Accompanying the texts are translations, admirable for their clearness and excellent literary form. A glossary and various indices complete the volume.

Attention is naturally first attracted to the friendly controversy